

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION V

JAN 22 1990

1/22/90
162502

DATE:

SUBJECT: Cost Recovery Close Out Action for Removal Action at Dead Creek, Sauget
Illinois. Superfund Site# 60.

FROM: Elizabeth Doyle and
Regional Counsel Staff Attorney

Jack Barnette
On Scene Coordinator

TO: File

DESCRIPTION OF SITE AND REMOVAL ACTION

The site is an abandoned surface/subsurface disposal area located in Sauget, Illinois. Elevated levels of PCBs and chlorinated benzenes have been discovered in the creek bottom sediment. The source of the contamination is somewhere upstream of the actual Dead Creek Site. Because of unimpeded public access to the site, it was decided that the erection of a fence was necessary to prohibit easy entry by passers-by. To that end, 4,146 feet of cyclone fence was erected to enclose the contamination (Reference 1).

COSTS INCURRED AND COST RECOVERY ACTIONS TO DATE

A December 18, 1989, SPUR report shows that \$49,974.51 has been spent by the United States Environmental Protection Agency (U.S. EPA) for this action (Reference 2).

LIABILITY OF POTENTIALLY RESPONSIBLE PARTIES

After reviewing information recently provided by the Illinois EPA (IEPA), U.S. EPA sent demand letters to 4 PRPs. Because of the relatively small amount of money expended at the Site, no further enforcement action will be taken if these PRPs decline to pay U.S. EPA costs.

ENFORCEMENT ACTIONS

Demand letters were sent by U.S. EPA to 4 PRPs on December 27, 1989, (Reference 3). No response has been received to date.

COST RECOVERY DECISION

As discussed previously, if U.S. EPA does not receive a favorable response to its demand letters, no further cost recovery action will be taken. This memorandum is submitted to document this decision, which was made prior to October 17, 1989, the most conservative Statute of Limitations date which may potentially apply to recovery of these costs.

REFERENCE

1. Polrep #3 for Dead Creek dated November 5, 1982.
2. SPUR Report dated December 18, 1989, prepared by the U.S EPA Region V, Financial Management Branch.
3. Demand letter dated December 27, 1989 sent by U.S. EPA Program Management Branch.

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RECOMMENDATION

Regardless to the response to our demand letters, it is recommended that no further action be taken in this case due to the small amount of money involved.

Approval:

Basil Constantelos, Director
Waste Management Division

Date

Bertram Frey, Acting
Regional Counsel

Date

Disapprove:

Basil Constantelos, Director
Waste Management Division

Date

Bertram Frey, Acting
Regional Counsel

Date

cc: Emil Knutti, WH-527
Vince D'Aloia, Superfund Accounting
Lynn Peterson, ORC Cost Recovery Coordinator
Oliver Warnsley, Chief, RP/CR Unit
Robert Bowden, Chief, EERB

5HSM-12;RP/CRU:tm:10/24/89:JOAKS'S DISK 1: DEADCREK.MEM

CONCURRENCE REQUESTED										
TECHNICAL SUPPORT SECTION, SPMB, OSF										
<i>[Signature]</i>				<i>[Signature]</i>		<i>[Signature]</i>	<i>[Signature]</i>		<i>[Signature]</i>	<i>[Signature]</i>
AUTHOR	TYPIST	PRE-REM	TECH. SUPP	PRP	ORC	SEC. CH.	BR. CH.	ADD	WFO	ORA

DISK INFORMATION:

[Signature] SPAS 1/11/90

[Handwritten notes and signatures]

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